

AMENDED IN SENATE APRIL 9, 2007

**SENATE BILL**

**No. 957**

---

**Introduced by Senator Perata Torlakson**

February 23, 2007

---

An act to ~~amend Section 12712 of~~ *add Section 12012.46* to the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

SB 957, as amended, ~~Perata Torlakson~~. Tribal gaming: ~~local agencies: grants: compact ratification.~~

*Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.*

*This bill would ratify an amendment to a tribal-state gaming compact entered into between the State of California and the Agua Caliente Band of Cahuilla Indians, executed on August 8, 2006. The bill would require that related revenue contributions be deposited into the General Fund and would also specify that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.*

~~Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those~~

~~funds to be used for specified purposes, including grants for the support of state and local government agencies impacted by tribal gaming. Existing law establishes the method of calculating the distribution of appropriations from the Indian Gaming Special Distribution Fund for grants to local government agencies impacted by tribal gaming, and establishes County Tribal Casino Accounts for those purposes.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 12012.46 is added to the Government*
- 2     *Code, to read:*
- 3     *12012.46. (a) The amendment to the tribal-state gaming*
- 4     *compact entered into in accordance with the Indian Gaming*
- 5     *Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and*
- 6     *25 U.S.C. Sec. 2701 et seq.) between the State of California and*
- 7     *the Agua Caliente Band of Cahuilla Indians, executed on August*
- 8     *8, 2006, is hereby ratified.*
- 9     *(b) (1) In deference to tribal sovereignty, none of the following*
- 10    *shall be deemed a project for purposes of the California*
- 11    *Environmental Quality Act (Division 13 (commencing with Section*
- 12    *21000) of the Public Resources Code):*
- 13    *(A) The execution of an amendment to the amended tribal-state*
- 14    *gaming compact ratified by this section.*
- 15    *(B) The execution of the amended tribal-state gaming compact*
- 16    *ratified by this section.*
- 17    *(C) The execution of an intergovernmental agreement between*
- 18    *a tribe and a county or city government negotiated pursuant to*
- 19    *the express authority of, or as expressly referenced in, the amended*
- 20    *tribal-state gaming compact ratified by this section.*
- 21    *(D) The execution of an intergovernmental agreement between*
- 22    *a tribe and the California Department of Transportation negotiated*
- 23    *pursuant to the express authority of, or as expressly referenced*
- 24    *in, the amended tribal-state gaming compact ratified by this*
- 25    *section.*
- 26    *(E) The on-reservation impacts of compliance with the terms*
- 27    *of the amended tribal-state gaming compact ratified by this section.*

1     (F) *The sale of compact assets, as defined in subdivision (a) of*  
2     *Section 63048.6, or the creation of the special purpose trust*  
3     *established pursuant to Section 63048.65.*

4     (2) *Except as expressly provided herein, nothing in this*  
5     *subdivision shall be construed to exempt a city, county, or city and*  
6     *county, or the California Department of Transportation, from the*  
7     *requirements of the California Environmental Quality Act.*

8     (c) *Revenue contributions made to the state by tribes pursuant*  
9     *to the amended tribal-state gaming compact ratified by this section*  
10    *shall be deposited in the General Fund.*

11    ~~SECTION 1. Section 12712 of the Government Code is~~  
12    ~~amended to read:~~

13    ~~12712. As used in this chapter:~~

14    ~~(a) “County Tribal Casino Account” means an account~~  
15    ~~consisting of all moneys paid by tribes of that county into the~~  
16    ~~Indian Gaming Special Distribution Fund after deducting the~~  
17    ~~amounts appropriated pursuant to the priorities specified in Section~~  
18    ~~12012.85.~~

19    ~~(b) “Individual Tribal Casino Accounts” means an account for~~  
20    ~~each individual tribe that has paid money into the Indian Gaming~~  
21    ~~Special Distribution Fund. The individual tribal casino account~~  
22    ~~shall be funded in proportion to the amount that the individual~~  
23    ~~tribe has paid into the Indian Gaming Special Distribution Fund.~~

24    ~~(c) “Local jurisdiction” means any city, county, or special~~  
25    ~~district.~~